

## **EXHIBIT H**

***SMITHERS***

***VS.***

***FRONTIER AIRLINES INC***

**Deposition**

***SHAWN P. CHRISTENSEN***

*04/17/2019*

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***AB Court Reporting & Video***

*216 16th Street, Suite 600*

*Denver Colorado, 80202*

*303-296-0017*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Civ. Action No. 1:18cv676 (TSE/IDD)

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30(b)(6) DEPOSITION OF FRONTIER AIRLINES, INC., as  
given by SHAWN P. CHRISTENSEN  
April 17, 2019  
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ANNE SMITHERS, et al.,

Plaintiffs,

vs.

FRONTIER AIRLINES INC.,

Defendant.  
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1 APPEARANCES:

2 STONE & WOODROW LLP

By Thatcher Stone, Esq.

3 William T. Woodrow, III, Esq. (via  
videoconference)

4 Suite 201, Louis & Clark Plaza

250 West Main Street

5 Charlottesville, Virginia 22902

Appearing on behalf of Plaintiffs.

6 CHARLSON BREDEHOFT COHEN & BROWN, P.C.

7 By Elaine Charlson Bredehoft, Esq.

11260 Roger Bacon Drive, Suite 201

8 Reston, Virginia 20190

Appearing telephonically on behalf of  
9 Defendant.

10 CONDON & FORSYTH LLP

By Bartholomew J. Banino, Esq.

11 7 Times Square

New York, New York 10036

12 Appearing on behalf of Defendant.

13 Also present: Anne Smithers, via  
14 videoconference

\*\*\* CONFIDENTIAL \*\*\*

1 Q (By Mr. Stone) Understood.

2 A -- the process.

3 Q About the copilot.

4 A Opinion, but, yes, at the time we were --

5 Q Okay.

6 A -- basing it off the captain.

7 Q And don't your policies require you to ask  
8 the passenger, once the screening's completed, if  
9 they feel comfortable going home -- or traveling --  
10 pardon me, for going home -- on that flight or not?

11 A I would need to review the -- the full  
12 document.

13 Q You didn't review those for this  
14 proceeding?

15 A Off the top of my head, I wouldn't be able  
16 to answer in that level of detail. But they would  
17 typically give them an opportunity based on the  
18 conditions of what occurred.

19 Q And earlier today I believe you said  
20 they'd be given a down-the-line opportunity for a  
21 later flight if they felt uncomfortable?

22 A Potentially, yes.

23 Q Yeah. And is there anything --

24 A Circumstances dependent. I'm sorry to cut  
25 you off.

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1 Q (By Mr. Stone) Well, did anyone from  
2 Frontier ever ask Mrs. Smithers whether she felt  
3 comfortable flying on that airplane or did she want  
4 to go on a later flight? Yes or no?

5 A I don't know.

6 Q Did you see anything in the record that  
7 reflects that Mrs. Smithers was asked did she want  
8 to go on that flight or a later flight? Yes or no?

9 MS. BREDEHOFT: I'm going to object.  
10 Again, it's outside the topic area.

11 MR. BANINO: And so if you know in your  
12 personal capacity whether that happened --

13 MR. STONE: Well, not in your personal  
14 capacity. Here for this deposition. The judge will  
15 decide whether it's 30(b)(6) or whether it's  
16 personal. And this is all part of throwing Smithers  
17 off the airplane.

18 Q (By Mr. Stone) So do you know, was she  
19 given that choice?

20 MR. BANINO: Wait, wait, wait, wait. I'm  
21 sorry.

22 You're asking questions about what  
23 happened after she was taken off the flight.

24 Q (By Mr. Stone) I'm asking questions after  
25 she accused --

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1 MR. BANINO: After she was taken off the  
2 flight.

3 Q (By Mr. Stone) -- a pilot -- the copilot  
4 in her Tweet, which clearly says copilot, of being  
5 inebriated, and a test was conducted by the GSC and  
6 the other sobriety people, who you have haven't  
7 identified because you don't know, and that's okay.

8 A And I'd -- just referred to my notes.

9 Q Yeah, yeah, yeah.

10 Was Mrs. Smithers, after that sobriety  
11 test was administered, given the chance to take that  
12 flight or a different flight?

13 MR. BANINO: Again, the objection is  
14 outside the scope.

15 MS. BREDEHOFT: And, again, this is  
16 outside the scope.

17 MR. STONE: Yeah, yeah, yeah. I have your  
18 objection. We don't agree.

19 MR. BANINO: Thatcher, please -- please  
20 take the objections seriously and --

21 MR. STONE: I take the objections --

22 MR. BANINO: -- either rephrase your  
23 question --

24 MR. STONE: -- seriously. Let's move on.

25 A I -- I don't know.